IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

FINJAN, INC.,	)
	)
	)
Plaintiff,	)
	)
v.	)
	) C.A. No. 10-cv-593 (GMS)
SYMANTEC CORP., WEBSENSE, INC.,	)
and SOPHOS, INC.,	)
	)
Defendants.	)
	)
	)
	)
	)

SPECIAL VERDICT FORM

A.   Finjan, Inc.'s Infringement Claims Against Symantec Corp.

Literal Infringement of U.S. Patent No. 6,480,962

1. Do you find that Finjan has proven by a preponderance of the evidence that Symantec directly and literally infringes any of the asserted claims of U.S. Patent No. 6,480,962? *A "yes" is a finding for Finjan, a "no" is a finding for Symantec.*

    YES _____   NO __✗__

    [If you answered "Yes" to Question 1], please mark the claims you found to be infringed:

    Claim 1: _____   Claim 5: _____   Claim 6: _____

    Claim 12: _____   Claim 15: _____   Claim 33: _____

    Claim 37: _____   Claim 38: _____   Claim 45: _____

    Claim 52: _____   Claim 55: _____

Literal Infringement of U.S. Patent No. 6,092,194

2. Do you find that Finjan has proven by a preponderance of the evidence that Symantec directly and literally infringes any of the asserted claims of U.S. Patent No. 6,092,194? *A "yes" is a finding for Finjan, a "no" is a finding for Symantec.*

    YES _____   NO __✗__

    [If you answered "Yes" to Question 2], please mark the claims you found to be infringed:

    Claim 1: _____   Claim 2: _____   Claim 32: _____

    Claim 35: _____   Claim 36: _____   Claim 37: _____

    Claim 58: _____   Claim 65: _____   Claim 66: _____

B.   Finjan, Inc.'s Infringement Claims Against Sophos Inc.

Literal Infringement of U.S. Patent No. 6,480,962

3. Do you find that Finjan has proven by a preponderance of the evidence that Sophos directly and literally infringes any of the asserted claims of U.S. Patent No. 6,480,962? *A "yes" is a finding for Finjan, a "no" is a finding for Sophos.*

    YES _____   NO __X__

    [If you answered "Yes" to Question 3], please mark the claims you found to be infringed:

    Claim 1: _____   Claim 5: _____   Claim 6: _____

    Claim 12: _____   Claim 21: _____   Claim 33: _____

    Claim 37: _____   Claim 38: _____   Claim 45: _____

    Claim 52: _____

Literal Infringement of U.S. Patent No. 6,092,194

4. Do you find that Finjan has proven by a preponderance of the evidence that Sophos directly and literally infringes any of the asserted claims of U.S. Patent No. 6,092,194? *A "yes" is a finding for Finjan, a "no" is a finding for Sophos.*

    YES _____   NO __X__

    [If you answered "Yes" to Question 4], please mark the claims you found to be infringed:

    Claim 1: _____   Claim 2: _____   Claim 32: _____

    Claim 35: _____   Claim 36: _____   Claim 37: _____

    Claim 58: _____   Claim 65: _____   Claim 66: _____

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C.   Finjan, Inc.'s Infringement Claims Against Websense, Inc.

Literal Infringement of U.S. Patent No. 6,092,194

5. Do you find that Finjan has proven by a preponderance of the evidence that Websense directly and literally infringes any of the asserted claims of U.S. Patent No. 6,092,194? *A "yes" is a finding for Finjan, a "no" is a finding for Websense.*

YES _____   NO __+__

[If you answered "Yes" to Question 5], please mark the claims you found to be infringed:

Claim 1: _____   Claim 2: _____   Claim 32: _____

Claim 35: _____   Claim 36: _____   Claim 37: _____

Claim 58: _____   Claim 65: _____   Claim 66: _____

Willful Infringement

6. If you answered "Yes" to Question 5, was Websense's infringement willful?

YES _____   NO _X__

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D.   Defendants' Patent Invalidity Defenses Against Finjan

Anticipation of U.S. Patent No. 6,092,194

7. Do you find that any of the Defendants have proven by clear and convincing evidence that any of the asserted claims of U.S. Patent No. 6,092,194 are invalid because they are anticipated by prior art? *A "yes" is a finding for Defendants, a "no" is a finding for Finjan.*

   YES X____   NO_____

   a. [If you answered "Yes" to Question 7], please identify the claims you found to be anticipated by prior art:

   Claim 1: _X___   Claim 2: _X___   Claim 32: _X___

   Claim 35: _X___   Claim 36: _X___   Claim 37: _X___

   Claim 58: _X___   Claim 65: _X___   Claim 66: _X___

Obviousness of U.S. Patent No. 6,092,194

8. Do you find that any of the Defendants have proven by clear and convincing evidence that any of the asserted claims of U.S. Patent No. 6,092,194 are invalid because the prior art makes them obvious? *A "yes" is a finding for Defendants, a "no" is a finding for Finjan.*

   YES _X___   NO_____

   a. [If you answered "Yes" to Question 8], please identify the claims you found to be obvious:

   Claim 1: _X___   Claim 2: _X___   Claim 32: _X___

   Claim 35: _X___   Claim 36: _X___   Claim 37: _X___

   Claim 58: _X___   Claim 65: _X___   Claim 66: _X___

Anticipation of U.S. Patent No. 6,480,962

9. Do you find that either Symantec or Sophos have proven by clear and convincing evidence that any of the asserted claims of U.S. Patent No. 6,480,962 are invalid because they are anticipated by prior art? *A "yes" is a finding for Symantec and Sophos, a "no" is a finding for Finjan.*

    YES __X__   NO_____

    a. [If you answered "Yes" to Question 9], please identify the claims you found to be anticipated by prior art:

Claim 1: _X_	Claim 5: _X_	Claim 6: _X_
Claim 12: _X_	Claim 15: _X_	Claim 21: _X_
Claim 33: _X_	Claim 37: _X_	Claim 38: _X_
Claim 45: _X_	Claim 52: _X_	Claim 55: _X_

Obviousness of U.S. Patent No. 6,480,962

10. Do you find that either Symantec or Sophos have proven by clear and convincing evidence that any of the asserted claims of U.S. Patent No. 6,480,962 are invalid because the prior art makes them obvious? *A "yes" is a finding for Symantec and Sophos, a "no" is a finding for Finjan.*

    YES __X__   NO_____

    a. [If you answered "Yes" to Question 10], please identify the claims you found to be obvious:

Claim 1: _X_	Claim 5: _X_	Claim 6: _X_
Claim 12: _X_	Claim 15: _X_	Claim 21: _X_
Claim 33: _X_	Claim 37: _X_	Claim 38: _X_
Claim 45: _X_	Claim 52: _X_	Claim 55: _X_

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E.   Damages for Finjan's Patent Infringement Claims against Symantec

11. If you have found that the claims of U.S. Patent No. 6,092,194 and U.S. Patent No. 6,480,962 asserted against Symantec are either invalid or not infringed by Symantec, then you need not address damages as to Symantec. If, however, you have found at least one claim of either patent to be both valid and infringed by Symantec, what damages do you find that Finjan has proven by a preponderance of the evidence?

Lump sum royalty: $_____

OR

Royalty rate: %_____

Royalty base: $_____

Total Damages: $_____

F.   Damages for Finjan's Patent Infringement Claims against Sophos

12. If you have found that the claims of U.S. Patent No. 6,092,194 and U.S. Patent No. 6,480,962 asserted against Sophos are either invalid or not infringed by Sophos, then you need not address damages as to Sophos. If, however, you have found at least one claim of either patent to be both valid and infringed by Sophos, what damages do you find that Finjan has proven by a preponderance of the evidence?

Lump sum royalty: $_____

OR

Royalty rate: %_____

Royalty base: $_____

Total Damages: $_____

G.   Damages for Finjan's Patent Infringement Claims against Websense

13. If you have found that the claims of U.S. Patent No. 6,092,194 asserted against Websense are either invalid or not infringed by Websense, then you need not address damages as to Websense. If, however, you have found at least one claim of U.S. Patent No. 6,092,194 to be both valid and infringed by Websense, what damages do you find that Finjan has proven by a preponderance of the evidence?

Lump sum royalty: $_____

OR

Royalty rate: %_____

Royalty base: $_____

Total Damages: $_____

FOREPERSON

REDACTED